UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,103	08/17/2001	Kavitha Vallari Devara	US 010405	5487

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EXAMINER
HOSSAIN, FARZANA E

ART UNIT	PAPER NUMBER
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/932,103	DEVARA ET AL.
	Examiner	**Art Unit**	
	Farzana E. Hossain	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 July 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>12 October 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

07/25/2007 has been entered.

Response to Amendment

2.   This office action is in response to claims filed 07/25/2007. Claims 1, 8, 15, 20

and 23 are amended. Claims 2-7, 9-14, 16-19, 21 and 22 are original. Claim 24 has

been previously presented.

Response to Arguments

3.   Applicant's arguments with respect to claims have been considered but are moot

in view of the new ground(s) of rejection.

Regarding Claims 1, 8, 15, 20, 23, the applicant argues that Zigmond and Ullman

do not disclose processing retrieved enhanced features and formatting the processed

retrieved enhanced features according to predetermined criteria to generate a content

list. formatting said retrieved, enhanced features according to predetermined criteria to

generate a content list" (Page 13).

In response to the applicant's argument, Zigmond discloses processing the

retrieved enhanced features. Zigmond is silent on the content list. See new grounds of

rejection.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-5, 7-13, 15 and 19-21 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Zigmond et al (US 6,571,392 and hereafter referred to as "Zigmond")

in view of Harrison et al (US 2001/0016942 and hereafter referred to as "Harrison").

Regarding Claims 1, 15 and 20, Zigmond discloses a method and system for

managing television programs and their synchronized web simulcasts (Figure 2, Figure

3, Figure 4), the method comprising the steps of and the system comprising:

(a) a detection means, coupled to receive incoming television programs viewed by a user, for detecting incoming television signals from a plurality of sources for tag information identifying the source of the synchronized web simulcasts or a video program with uniform resource locators (URLs) which identify Web pages which correspond to the program as receiver unit detects the resource identifiers as it receives the program via the interface unit and the decoding software of the digital processor (Figure 3, Figure 4, 303, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(b) a communications means for establishing a communication channel to the source of the synchronized web simulcasts (Figure 2, 211);

(c) a control means retrieving a number of enhanced features from the source of the synchronized web simulcasts (Figure 3, Figure 4, 303, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(d) a storage means for storing the retrieved enhanced features in a storage medium for subsequent retrieval (Figure 3, Figure 4, 304, Column 6, lines 25-36, Column 7, lines 18-31, 55-67), the control means coupled to the storage means the detection means and communications means, and a display means coupled to the controlling means for displaying the incoming television programs and one of the retrieved enhanced features selected interactively by the user (Figure 4, 312, 303, Column 7, lines 47-54). Zigmond discloses a memory for storing computer readable code or software (Column 5, lines 60-67, Column 6, lines 1-3) and a processor (Figure 4, 303) operatively coupled to the memory (Figure 4) the processor configured to perform the steps of the method disclosed above. Zigmond discloses identifying the

retrieved enhanced features based on URLs or URIs (Column 6, lines 25-36, Column 7,

lines 18-31, 55-67), processing retrieved enhanced features (Column 10, lines 33-57).

Zigmond is silent on formatting the processed, retrieved enhanced features to

predetermined criteria to generate a content list.

Harrison discloses a method of managing television programs and their

synchronized web simulcasts, the method comprising the steps of: a detection means

for detecting incoming television signals from a plurality of sources for tag information

identifying the source of the synchronized web simulcasts (Page 4, paragraph 0044,

Page 5, paragraph 0053), establishing a communication channel to the source of

synchronized web simulcasts (Figure 4, 66, Page 5, paragraph 0053), storing

associated data streams or enhanced features in a storage medium for subsequent

retrieval (Pages 3-4, paragraph 0040, Figure 4, 39, Page 5, paragraph 0053, Page 4,

paragraph 0050); processing the retrieved, enhanced features (Page 4, paragraphs

0044-0046, 0050, Page 5, paragraphs 0053, 0054, 0056); and formatting the

processed retrieved enhanced features according to predetermined criteria or

conversion to a standard format to generate a content list or a menu of available

information (Page 4, paragraph 0046, Page 5, paragraph 0054). Therefore, it would

have been obvious to one of ordinary skill in the art at the time the invention was made

to modify Zigmond to formatting the processed retrieved enhanced features according

to predetermined criteria or conversion to a standard format to generate a content list or

a menu of available information (Page 4, paragraph 0046, Page 5, paragraph 0054) as

taught by Harrison in order to allow the viewer to view web pages related to a show at

any time for an enhanced viewing experience (Page 5, paragraph 0054) as disclosed by
Harrison.

Regarding Claim 8, Zigmond discloses a method for managing television
programs and their synchronized web simulcasts (Figure 2, Figure 3, Figure 4) and a
method for presenting simulcast information, the method comprising executing
operations on at least one user local data processing device (Figure 2, Figure 3, Figure
4the method comprising the steps of and the operations comprising: (a) receiving a
plurality of television programs or audio-visual information and their synchronized web .
simulcasts (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-
67);

(b) detecting incoming television signals or plurality of television programs for tag
information identifying the respective sources of the synchronized web simulcasts or
one website simulcasting supplemental information relating to the audio-visual
information or a video program with embedded uniform resource locators (URLs) with
associated time stamps which identify Web pages which correspond to the program
(Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c) determining whether the detected tag information indicates that the
synchronized web simulcasts are being broadcast currently (Figure 2, 205, Figure 3,
Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67); and,

(c)(1)(i) if yes, establishing a channel connection to the source of the
synchronized web simulcasts indicated by the tag information (Column 6, lines 25-36,

60-67, Column 7, lines 18-31, 55-67); (c)(1)(ii) downloading and displaying a number of

enhanced features from the source of the synchronized web simulcasts to a viewer

(Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67);

(c)(2)(i) if no (prior to the need of display of such information), establishing a

channel connection to the source of the synchronized web simulcasts indicated by the

tag information (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c)(2)(ii) downloading a number of enhanced features from the source of the

synchronized web simulcasts for storage in a memory medium for subsequent retrieval;

(Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67). Zigmond discloses

identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-

36, Column 7, lines 18-31, 55-67) and processing retrieved enhanced features (Column

10, lines 33-57). Zigmond is silent on formatting the processed, retrieved enhanced

features to predetermined criteria to generate a content list.

Harrison discloses a method of managing television programs and their

synchronized web simulcasts, the method comprising the steps of: a detection means

for detecting incoming television signals from a plurality of sources for tag information

identifying the source of the synchronized web simulcasts (Page 4, paragraph 0044,

Page 5, paragraph 0053), establishing a communication channel to the source of

synchronized web simulcasts (Figure 4, 66, Page 5, paragraph 0053), storing

associated data streams or enhanced features in a storage medium for subsequent

retrieval (Pages 3-4, paragraph 0040, Figure 4, 39, Page 5, paragraph 0053, Page 4,

paragraph 0050); processing the retrieved, enhanced features (Page 4, paragraphs

0044-0046, 0050, Page 5, paragraphs 0053, 0054, 0056); formatting the processed

retrieved enhanced features according to predetermined criteria or conversion to a

standard format to generate a content list or a menu of available information (Page 4,

paragraph 0046, Page 5, paragraph 0054), displaying the content list associated with

the audio visual information (Page 5, paragraphs 0054-0056); receiving the choice

indication responsive to the content list (Page 5, paragraphs 0054-0056). Therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify Zigmond to formatting the processed retrieved enhanced features

according to predetermined criteria or conversion to a standard format to generate a

content list or a menu of available information (Page 4, paragraph 0046, Page 5,

paragraph 0054) as taught by Harrison in order to allow the viewer to view web pages

related to a show at any time for an enhanced viewing experience (Page 5, paragraph

0054) as disclosed by Harrison.

Regarding Claims 2 and 9, Zigmond and Harrison disclose all the limitations of

Claims 1 and 8 respectively. Harrison discloses presenting the content list to a viewer

(Page 5, paragraphs 0054-0056).

Regarding Claims 3, 13, 19 and 21, Zigmond and Harrison disclose all the

limitations of Claims 1, 8, 15 and 20 respectively. Harrison discloses the content listing

includes information of the source (Page 5, paragraph 0054).

Regarding Claims 4 and 10, Zigmond and Harrison disclose all the limitations of

Claims 1 and 8 respectively. Zigmond discloses selecting enhanced featured tied to a

TV program by a viewer (Column 7, lines 47-54). Harrison discloses selecting enhanced

featured tied to a TV program by a viewer (Page 5, paragraph 0054, Page 4,

paragraphs 0042-0045).

Regarding Claims 5 and 11, Zigmond and Ullman disclose all the limitations of

Claims 4 and 8 respectively. Zigmond discloses displaying one of the enhanced

features selected by the user with the corresponding TV program that is synchronized to

the selected enhanced feature (Column 7, lines 47-54). Harrison discloses displaying

one of the enhanced features selected by the user with the corresponding TV program

that is synchronized to the selected enhanced feature (Page 3, paragraphs 0035-0036).

Regarding Claim 7, Zigmond and Harrison disclose all the limitations of Claim 1.

Zigmond discloses the source includes Internet (Figure 2). Harrison discloses the

sources include television network, Internet (Page 4, paragraphs 0045, 0046, Page 5,

paragraphs 0055, 0056).

Regarding Claim 12, Zigmond and Harrison disclose all the limitations of Claim 8.

Zigmond discloses displaying is performed interactively in response to the viewer's input

(Column 7, lines 47-54). Harrison discloses displaying is performed interactively in

response to the viewer's input (Page 4, paragraphs 0054-0056).

6.   Claims 6, 14, 16-18 and 22 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Zigmond in view of Harrison as applied to Claims 1, 8, 11, 15 and 20,

further in view of Ullman et al (US 6,018,768 and hereafter referred to as "Ullman").

Regarding Claims 6, 14, 17 and 22, Zigmond and Harrison disclose all the

limitations of Claims 1, 8, 15 and 20 respectively. Zigmond and Harrison are silent on

predetermined criteria defines the number of enhanced features associated with the

source of the synchronized web simulcasts. Ullman discloses the predetermined

criteria defines the number of enhanced features associated with the source of the

synchronized web simulcasts or the URLs represent web sites and URLs are

transmitted to the user and the number of the URLs of a source is based on the number

of URLs sent to the user (Column 7, lines 12-29, 57-62). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify

the combination to include predetermined criteria defines the number of enhanced

features associated with the source of the synchronized web simulcasts or the URLs

represent web sites and URLs are transmitted to the user and the number of the URLs

of a source is based on the number of URLs sent to the user (Column 7, lines 12-29,

57-62) as taught by Ullman in order to personalize the system to the user's own

interests, demographics, history or behavior (Column 7, lines 12-29) as disclosed by

Ullman.

Regarding Claims 16 and 18, Zigmond and Harrison disclose all the limitations of

Claims 11 and 15 respectively. Zigmond and Harrison do not explicitly state that

enhanced features are created in advance. Ullman discloses the data representative of

the plurality of the enhanced features is interactively created in advance (Column 7,

lines 1-29, 57-62, Column 6, lines 17-20). Therefore, it would have been obvious to one

of ordinary skill in the art at the time the invention was made to modify the combination

to include the data representative of the plurality of the enhanced features is

interactively created in advance (Column 7, lines 1-29, 57-62, Column 6, lines 17-20) as

taught by Ullman in order to allow the broadcaster to store more than one Link File with

references to enhanced feature for transmission to user in different time zones and also

allows more than one broadcaster to access the same master schedule and edit the

URLS (Column 3, lines 55-63) as disclosed by Ullman.

7.   Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond

in view of Harrison and Shoff et al (US 2005/0015815 and hereafter referred to as

"Shoff").

Regarding Claim 23, Zigmond discloses a method for managing television

programs and their synchronized web simulcasts (Figure 2, Figure 3, Figure 4) and a

method for presenting simulcast information, the method comprising executing

operations on at least one user local data processing device (Figure 2, Figure 3, Figure

4the method comprising the steps of and the operations comprising: (a) receiving a

plurality of television programs or audio-visual information and their synchronized web

simulcasts (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-

67);

(b) detecting incoming television signals or plurality of television programs for tag

information identifying the respective sources of the synchronized web simulcasts or

one website simulcasting supplemental information relating to the audio-visual

information or a video program with embedded uniform resource locators (URLs) with

associated time stamps which identify Web pages which correspond to the program
(Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c) determining whether the detected tag information indicates that the
synchronized web simulcasts are being broadcast currently (Figure 2, 205, Figure 3,
Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67); and,

(c)(1)(i) if yes, establishing a channel connection to the source of the
synchronized web simulcasts indicated by the tag information (Column 6, lines 25-36,
60-67, Column 7, lines 18-31, 55-67); (c)(1)(ii) downloading and displaying a number of
enhanced features from the source of the synchronized web simulcasts to a viewer
(Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67);

(c)(2)(i) if no (prior to the need of display of such information), establishing a
channel connection to the source of the synchronized web simulcasts indicated by the
tag information (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c)(2)(ii) downloading a number of enhanced features from the source of the
synchronized web simulcasts for storage in a memory medium for subsequent retrieval;
(Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67). Zigmond discloses
identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-
36, Column 7, lines 18-31, 55-67) and processing retrieved enhanced features (Column
10, lines 33-57). Zigmond is silent on formatting the processed, retrieved enhanced
features to predetermined criteria to generate a content list.

Harrison discloses a method of managing television programs and their
synchronized web simulcasts, the method comprising the steps of: a detection means

for detecting incoming television signals from a plurality of sources for tag information

identifying the source of the synchronized web simulcasts (Page 4, paragraph 0044,

Page 5, paragraph 0053), establishing a communication channel to the source of

synchronized web simulcasts (Figure 4, 66, Page 5, paragraph 0053), storing

associated data streams or enhanced features in a storage medium for subsequent

retrieval (Pages 3-4, paragraph 0040, Figure 4, 39, Page 5, paragraph 0053, Page 4,

paragraph 0050); processing the retrieved, enhanced features (Page 4, paragraphs

0044-0046, 0050, Page 5, paragraphs 0053, 0054, 0056); formatting the processed

retrieved enhanced features according to predetermined criteria or conversion to a

standard format to generate a content list or a menu of available information (Page 4,

paragraph 0046, Page 5, paragraph 0054), displaying the content list associated with

the audio visual information; receiving the choice indication responsive to the content

list (Page 5, paragraphs 0054-0056). Harrison is silent on the simultaneously

presenting the audiovisual information synchronized together wit hat least part of the

supplemental information, responsive to the choice. Shoff discloses formatting a

supplemental information according to predetermined criteria to generate a content list

or menu (Page 4, paragraphs 0042-0047); receiving a choice indication responsive to

the content list (Figure 3) and simultaneously presenting the audio visual information

synchronized together with at least part of the supplemental information, response to

the choice (Figure 6, Figure 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Zigmond to formatting the processed retrieved

enhanced features according to predetermined criteria or conversion to a standard

format to generate a content list or a menu of available information (Page 4, paragraph

0046, Page 5, paragraph 0054) and displaying the content list associated with the audio

visual information; receiving the choice indication responsive to the content list (Page 5,

paragraphs 0054-0056) as taught by Harrison in order to allow the viewer to view web

pages related to a show at any time for an enhanced viewing experience (Page 5,

paragraph 0054) as disclosed by Harrison.   Therefore, it would have been obvious to

one of ordinary skill in the art at the time the invention was made to modify the

combination to simultaneously presenting the audio visual information synchronized

together with at least part of the supplemental information, response to the choice

(Figure 6, Figure 7) as taught by Shoff in order to allow the viewer the supplemental

content with the program in a presentation format decided by content providers (Page

1, paragraph 0013) as disclosed by Shoff for an aesthetically pleasing viewing

experience.

8.   Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond

in view of Harrison and Shoff as applied to claim 23 above, and further in view of

Ullman.

Regarding Claim 24, Zigmond, Harrison and Shoff disclose all the limitations of

Claim 23. Zigmond, Harrison and Shoff are silent on the audio-visual information and

tag are received in the MPEG format. Ullman disclose the audio-visual information and

tag are received in the MPEG format (Column 9, lines 59-67, Column 10, lines 1-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to the audio-visual information and tag are received in the MPEG format (Column 9, lines 59-67, Column 10, lines 1-3) as taught by Ullman in order to allow different broadcasters to transmit files via any transmission means for a more flexible transmission system (Column 4, lines 49-53) as disclosed by Ullman.

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 7:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FEH
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